IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2935 OF 2004
WITH
WRIT PETITION NO. 2936 OF 2004
WITH
WRIT PETITION NO. 2937 OF 2004

Prakash Offset Printers & Ors. ..Petitioners.

Versus

The Ichalkaranji Urban Co-operative Bank Ltd., & Ors. ..Respondents.

Ms. Anjali N. Helekar for the Petitioners.
Mr. A. M. Kulkarni for Mr.A.A.Kumbhakoni for the Respondent No.1.
Mr. D.A.Patil, AGP for the Respondent Nos. 2 to 4.

CORAM : S. A. BOBDE, J.
DATED : 17TH OCTOBER, 2005.

P.C.:

1. It appears that these Petitions have become infructuous. The original prayer questioned the validity of the recovery proceedings relating to a certificate under section 101 of the Maharashtra Co-operative Societies Act, 1960 which has now admittedly been issued by the respondents. The amended prayer (a-1) questions the validity and propriety of the recovery certificate dated 12.03.2004. I see no reason to entertain this prayer

in view of an alternate remedy available to the petitioners under section 154 of the Act.

2. Both the learned counsel state that the parties have resorted to an alternate dispute resolution. This may go on without prejudice to the right of either party to resort to such remedies as may be available later on, in case A.D.R. is not successful.

3. The learned counsel for the respondents states that pending ADR, the respondents shall not take coercive steps for recovery of the amount under the certificate.

DT. 17.10.05 (S.A.BOBDE,J)

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